

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRANDON CASUTT,

Defendant.

Case No.: 2:20-cr-00231-APG-NJK

ORDER
(Docket No. 50)

Pending before the Court is Defendant Brandon Casutt's motion for leave to file Exhibit F to his motion to suppress under seal. Docket No. 50. *See also* Docket No. 51 (Exhibit F). Defendant submits that Exhibit F "contains a search warrant that is currently under seal." Docket No. 50 at 1. Therefore, Defendant asks the Court, out of an abundance of caution, to allow him to file the exhibit under seal until the United States moves to unseal the document. *Id.*

Exhibit F consists of two search warrant applications by telephone or other reliable electronic means and an affidavit in support of them. *See* Docket No. 51. Further, the search warrant applications were never sealed; rather, it was the affidavit that was issued under seal. *Id.* Finally, a review of the docket clearly shows that the affidavit was ordered unsealed by the Court more than a year ago, on August 31, 2020. Docket No. 1, 2:20-mj-00667-BNW; Docket No. 1, 2:20-mj-00668-BNW.¹

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¹ The Court expects parties to make accurate representations in all filings before it. When a party's representations can be clarified by a simple viewing of an online docket, no reason exists for an inaccurate statement to be made. The Court expects better advocacy in the future.

1 Accordingly, Defendant's sole reason for filing Exhibit F under seal does not exist;
2 therefore, the Court **DENIES** Defendant's motion to seal this exhibit. Docket No. 50. The Court
3 **INSTRUCTS** the Clerk's Office to **UNSEAL** the document at Docket No. 51.

4 IT IS SO ORDERED.

5 DATED: October 1, 2021.

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9 NANCY J. KOPPE
10 UNITED STATES MAGISTRATE JUDGE
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